

That is a picture of what Highway 1 looks like on a bad day when there has been an accident. Frankly, on a good day when there has not been an accident, it looks a lot like that. There can be 1,000 trucks a day trying to get down to the gulf to produce oil.

First, we need to drill more in this Nation in places where we can. We can have protected waters so the beaches of Florida or the coast of Louisiana or places in Alaska can be protected and preserved. But we can drill in places where we can become more energy independent and self-sufficient.

Second, we should double our efforts to diversify our sources of energy and concentrate on developing renewables.

Third, we should create a transmission grid much like our national highway system so that wherever the power is created, we can move it to wherever the Nation needs it, efficiently and at low cost.

It will be fabulous for our consumers and for our businesses.

Finally, we need to make sure we compensate the States such as Louisiana that are producing and give them a fair share of these revenues so we can invest in our economic future, fix highways such as Highway 1, and restore the damage to our coastal wetlands.

I thank the Presiding Officer for the attention and the time to speak on this important issue.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Florida). The Senator from Nebraska.

Mr. HAGEL. Mr. President, I ask unanimous consent that I be given up to 15 minutes to address the Senate as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAGEL. Thank you, Mr. President.

THE MIDDLE EAST

Mr. HAGEL. Mr. President, I come to the floor this morning to speak on the Middle East. I begin my comments this morning with a statement of support for Senator DASCHLE's comments yesterday concerning his call for restraint by our colleagues while Secretary of State Powell is in the Middle East. Senator DASCHLE's statement was wise. It is important we all listen carefully to what Senator DASCHLE said. And, more importantly, in my opinion, it is important that we follow his suggestion.

President Bush was correct in his assessment that he presented to the American public and the world last Thursday in his speech when he informed the world he was going to be engaged in the Middle East by sending Secretary Powell to the Middle East. It was a correct decision.

Secretary Powell is now engaged in a very difficult, dangerous, and delicate mission. Yes, there are great risks for the President's prestige, our Nation's

risk to that prestige, and to America's prestige. There are risks all around.

We must not misunderstand the reality of with what we are dealing. We are not dealing with some abstraction or some theory. We are dealing with the cold, brutal reality of what is taking place in the Middle East. There are no good options. There are no risk-free options for America, for Israel, for the Palestinians, for the Arab world, and for, indeed, the entire world.

There are far greater risks if the United States of America does not engage and provide leadership where there has been a vacuum of leadership, which, in my opinion, has produced much of this danger, chaos, and turmoil, and which I believe borders on the brink of a raging inferno if this is not brought under control. We have no option but to lead. Terrorists win if we don't engage—if we allow ourselves to be held captive to terrorist actions.

As we follow this through, do we believe things will get better? Things won't get better. Things will get worse and more dangerous and will draw more and more of the world into this conflict. So we have no option.

The President is right. If this situation continues to spiral out of control, it serves no one's interest or purpose except the fringes, the radicals, and the terrorists.

It is not in Israel's interest, nor the Palestinians' interest, nor the world's interest to allow this problem to continue. Of course, our hearts go out to the Israeli people today, and to the victims and families of the latest terrorist bombing in Jerusalem. We can never justify nor condone acts of terrorism.

Unfortunately, I am not surprised that on the day Secretary Powell is in Israel meeting with leaders to attempt to bring some sanity to this situation that the terrorists have struck. That is what they always do. They try to drive us back. They try to fragment us. They try to get us to argue amongst ourselves as to strategy and policy. But we must not fall prey to terrorist actions and allow ourselves to become paralyzed by what they are doing.

No Nation and no people should have to live under the conditions the Israelis are presently living under and the Palestinian people are enduring.

That is why Secretary Powell is there. Let us not forget why he is there. Let us cut through the fog. He is there to try to bring some stability and peace and pull apart the warring factions so that we can get on with a settlement, get on with lives, and hopefully on into a future for all peoples of that region. That is why he is there.

President Bush has been very clear in his condemnation of terrorism and his unprecedented commitment to ending it. We understand Israel's right to defend itself. We are committed to that right. We have helped Israel defend that right. We will continue to do so. But it should not be at the expense of the Palestinian people—innocent Palestinian people and innocent Israelis

who are paying a high price. Both Israelis and Palestinians are trapped in a war not of their making.

We must step back from this great tragedy and recognize one constant: That the more the violence escalates, the more the terrorists win, and that further violence will embolden the terrorist bombers in Israel and elsewhere, and it will spread and spread.

We cannot allow a vacuum of leadership to develop in the Middle East. That, too, is why Secretary Powell is there. Secretary Powell is on a critical mission to help end this cycle of violence and eventually help both sides see a future where there can be peace. Look over the horizon. Is it imperfect? Absolutely. Is it full of problems and holes and gaps, imperfections and flaws? Absolutely. But if we do not anchor ourselves to some hope, some plan, some leadership—all, yes, full of risk—then what is there, what will there be?

We must be reminded that this cannot, and will not, be accomplished in one trip. This will take time. We must have patience. We must stay focused, disciplined, and prepared for setbacks. And there will be setbacks. But allowing this to spiral out of control is not an option.

The military solution alone is not an option. That is part of it. We will get to a time—I have confidence we will—where we will be asking, How do we guarantee this peace? Will America be called upon, NATO forces be called upon to help guarantee this peace? Maybe. But we should now put all our creative, new, wider-lens thinking on this issue, and all our foreign policy in this new world in which we live, on the table. It will require some new thinking.

Who guarantees this peace? If, in fact, we expect Israel to pull back to their pre-1967 borders, who guarantees that peace? Those will be difficult decisions for this body to be part of making, as well as the President having to make those difficult decisions. I do not tremble with any fear or quake with fear that we are not up to that. We will get to that. We must be prepared to think through that—and long term.

The Secretary's mission is all about the war on terrorism. Let's not get disconnected to the broader purpose. Its purpose is to end the violence and terror. The Middle East is connected to our policies in Afghanistan and Iraq. We are paralyzed now in some of these areas because we are totally consumed with the Middle East, and appropriately so. We have few options anywhere until this Middle East issue is on some track of resolution.

The situation in Afghanistan, as the Presiding Officer knows, is still very fragile and very dangerous. There is a long way to go. We must not allow Afghanistan to unwind. The investment, the progress, the good, the justice, the dignity—all that has been brought to that land as a result of American leadership, which we must preserve—we

cannot allow to erode and for us to go back to a time when we were losing there.

Deadly terrorism stalks the world. It is the great challenge of our time. It is the reality of our time. We need the help of all our allies, all our friends all over the world, all the Moslem nations, to continue to root out terrorism and stabilize and secure the world.

This is not an American interest alone. And we cannot do it alone. We are the greatest power the world has ever known. We stand astride the globe as no power in the history of man. But we have limits, too. These coalitions for peace, coalitions for change, will be our future, the world's future. And we must lead that coalition. We cannot press forward on a regime change in Iraq with the fires burning in Israel or we will stand alone, without our allies. We will risk finding ourselves isolated, Israel isolated. It is not in the interest of Israel to find America and Israel isolated in the world.

America's and the world's vital interests are connected to the Israeli-Palestinian conflict—completely, directly, daily. We must give Secretary Powell and the President the time to work through these unprecedented challenges, this unprecedented violence and danger. They need the latitude, the flexibility to work through to a solution, in consultation with the Congress, of course. In this body and in the House of Representatives reside great expertise, ability, common sense, and wisdom on which the President will and is calling.

We need an Arab coalition for peace, building upon the Saudi initiative of Crown Prince Abdullah, incorporating the Tenet plan and the Mitchell plan. We need to support the President's policies to help bring to this region peace which has worldwide consequences. All of the world will be affected by the outcome. There are consequences playing out today, and they will continue to play out, and they are uncontrollable consequences.

In conclusion, I offer a comment that Henry Kissinger made in a statement recently on U.S. policy in the post-cold-war world reality. Dr. Kissinger said this: "history . . . will not excuse failure by the magnitude of the task." It applies very appropriately, clearly, and with deadly accuracy today in the Middle East. The President has shown his courage and the determination that a nation as great and worthy as America is—and can be, and has been—to go forward with the kind of leadership the world expects from us, and, yes, at great risk. But that risk is for peace, and that risk is worth taking. It will be long and difficult, but it can be done. We are dealing with a manmade problem. We will find a manmade resolution.

So I return to the opening of my comments this morning in once again suggesting that Senator DASCHLE had it right yesterday in calling for all of us on Capitol Hill to work together to

support the President, to find solutions and resolutions. Criticism is easy. It is very easy to criticize. But we do not have an option to criticize. We have a responsibility to find a solution. And we will. We must support our President and Secretary Powell in his mission for peace.

Mr. President, I thank you for your attention. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

ENHANCED BORDER SECURITY AND VISA ENTRY REFORM ACT OF 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to consideration of H.R. 3525, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3525) to enhance the border security of the United States, and for other purposes.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, it is time to enact the Enhanced Border Security and Visa Entry Reform Act.

I thank my colleagues, Senators BROWBACK and KYL, on the Judiciary Committee, the Republican leaders on the Judiciary Committee and on this issue, and also acknowledge the very strong leadership of my colleague and friend from California, Senator FEINSTEIN. We have worked very closely together. We all had different legislation in different forms and shapes, but all on a similar subject matter. We have worked closely to make a unified recommendation to the Senate which reflects our best judgment.

It also reflects the best judgment of those who have had the opportunity to study the issues that we have included, and we have benefited from a number of recommendations. I am very grateful to all of our colleagues for all of the good work they have done. We present this as a unified team.

This legislation would strengthen the security of our borders, improve our ability to screen foreign nationals, and enhance our ability to deter potential terrorists. This legislation addresses the significant national security challenges we face today.

The House passed the Border Security Act in December. The Senate action is long overdue.

I believe there are five dimensions to our security challenge today. First is the military. The Armed Forces are performing superbly, and they are well led. Secondly, we have a new intelligence challenge that deals primarily with the control of nuclear and biological materials in the former Soviet Union, and the gaps in what we know about terrorist groups. A third involves a cracking-down on money laundering and improving our ability to follow the financial trail of terrorist groups through the international monetary system, and we have seen important legislation on that subject successfully completed in this body.

Fourth is the area of bioterrorism. Senator FRIST and I have worked closely together to enact the Public Health Threats and Emergencies Act signed by the President in the year 2000. We are in conference now with the Bioterrorism Preparedness Act. We have very good bipartisan support for this legislation—Congressman TAUZIN, House Members—and we are very close to making recommendations with a conference report sometime next week or very shortly thereafter. We have worked very closely in a bipartisan, bicameral way to meet this particular challenge.

Finally, there is the security of our borders, which remains the challenge that needs attention.

As the recent mistakes of the INS demonstrate, the need is urgent to close the loopholes in our immigration system. Border security is the shared responsibility of the INS, the State Department, intelligence agencies, and the Customs Service, and requires improved technology, enhanced intelligence capacity, and dynamic information sharing, updated training for border officials and Foreign Service offices, and expanded monitoring of foreign nationals already in the United States.

Additional restructuring within agencies to streamline the implementation of this multi-faceted goal may be necessary over time, but are not a precondition to the passage of this legislation.

The pressing need for enhanced border security must proceed without further delay.

As I mentioned, the reorganization, restructuring of the INS is important.

I and others have introduced that restructuring in the 105th and 107th Congresses. Basically, that incorporated the recommendations of what we call the Barbara Jordan Commission. The Commission itself spent over a year evaluating and examining the series of recommendations about how to make the whole INS more effective and efficient and respond to both its enforcement as well as its service needs. It is a solid base from which we should move ahead.

But it does seem to all of us that it is important we get about this business now in terms of border security first and not wait for the more general